

CLOSED

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ARMUR REALTY, LLC, ET AL.

Plaintiff,

v.

BANCO DO BRASIL,

Defendants.

Civil Action No. 09-2792(SRC)

ORDER

CHESLER, District Judge

This matter comes before the Court upon the motion for the Award of Counsel Fees and Costs on Behalf of Defendant and Counterclaimant Banco do Brasil (“Banco” or “Defendant”) against Plaintiffs Armur Realty, LLC, 3 Walls Realty, LLC, Carlos Fonseca, and Maria Victoria Fonseca (collectively, “Plaintiffs”) [docket entry no. 64]. This Court referred the matter to the magistrate judge for a report on proposed findings of fact and recommendations for a disposition of the motion, pursuant to 28 U.S.C. § 636(b)(1)(B). On December 12, 2011, Magistrate Judge Shipp issued a Report and Recommendation (“R&R”), pursuant to FED. R. CIV. P. 72(b), L. CIV. R. 72.1(a)(2), and 28 U.S.C. § 636(b)(1)(B) [docket entry 68]. The R&R recommends that the Court grant the motion, and award Defendant \$272,560.43 in attorneys’ fees. This reflects his recommendation that, in the Court’s discretion, it subtract \$240,070.79 from the \$512,631.22 in attorneys’ fees originally requested, attributable to deductions for excessive billings.

Title 28 U.S.C. § 636(b)(1)(C) provides that within ten days of service of the magistrate judge’s recommended disposition, any party to the action may file specific written objections to the magistrate judge’s proposed findings and recommendations. The statute also provides

that a district judge must conduct a de novo review of those portions of the magistrate judge's R&R to which objection is made. The time for filing objections to Magistrate Judge Shipp's R&R expired on December 27, 2011. To date, no objections have been filed.

This Court has reviewed the R&R under the appropriate standards. It agrees with Magistrate Judge Shipp's analysis and conclusion. Therefore,

IT IS on this 13th day of January, 2012,

ORDERED that Magistrate Judge Shipp's R&R [docket entry 68] is adopted as the opinion of the Court; and it is further

ORDERED that Defendant's motion for an award of attorneys' fees against Plaintiffs [docket entry 64] be and hereby is **GRANTED**; and it is further

ORDERED that Defendant is awarded attorneys' fees in the amount of **\$272,560.43**.

s/ Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge